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No. 1470A

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

NOTIFICATION

No. LAW 42 LGN 70, Bangalore, dated 27th May, 1975

Ordered that the Motor Vehicles (Mysore Amendment) Act, 1973 which received the assent of the President on the Twelfth day of January, 1974 be published as Karnataka Act, No. 25 of 1975 in the *Karnataka Gazette* for general information.

KARNATAKA ACT No. 25 OF 1975

(*First published in the* Karnataka Gazette *Extraordinary on the Second day of June,* 1975)

THE MOTOR VEHICLES (MYSORE AMENDMENT) ACT, 1973.

(*Received the assent of the President on the Twelfth day of January,* 1974)

An Act further to amend the Motor Vehicles Act, 1939.

WHEREAS it is expedient further to amend the Motor Vehicles Act, 1939 (Central Act 4 of 1939) as in force in the State of Mysore ;

BE it enacted by the Mysore State Legislature in the Twenty-fourth Year of the Republic of India as follows :—

1. Short title, extent and commencement.—(1) This Act may be called the Motor Vehicles (Mysore Amendment) Act, 1973.

(2) It extends to the whole of the State of Mysore.

(3) It shall come into force at once.

2. Amendment of section 44.—In section 44 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939) (hereinafter referred to as the principal Act) after the second proviso to sub-section (1), the following proviso shall be inserted, namely :—

"Provided also that for the purpose of sub-section (1), the City of Bangalore, as defined in the City of Bangalore Municipal Corporation Act, 1949 (Mysore Act 69 of 1949) shall be a region and the Bangalore District excluding the said City of Bangalore shall be another region.".

3. Amendment of section 45.—In section 45 of the principal Act,—

(1) at the end of sub-section (2), the following sentence shall be added, namely :—

" When such a notification is issued, reference to the Regional Transport Authority in sections 47, 48, 50, 51, 53, 54, 55, 56, 57, 58, 62, 63 and 68F shall, in respect of applications for permit for using a vehicle in two or more regions lying in different States, be construed as reference also to the State Transport Authority." ;

(2) after sub-section (2), the following sub-section shall be inserted, namely :—

"(2A) Notwithstanding anything contained in sub-section (1), the State Government may, by notification in the official Gazette, direct that in the case of any vehicle or vehicles proposed to be used in two or more regions lying in the State, the application under that sub-section shall be made to the State Transport Authority. When such a notification is issued, reference to the Regional Transport Authority in sections 47, 48, 50, 51, 53, 54, 55, 56, 57, 58, 62, 63 and 68F shall, in respect of applications for permit for using a vehicle in two or more regions lying in the State, be construed as reference also to the State Transport Authority.".

4. Amendment of section 60.—In section 60 of the principal Act, after sub-section (4), the following sub-section shall be inserted, namely :—

"(5) Notwithstanding anything contained in the preceding sub-sections, on the breach of such conditions of the permit as may be prescribed, in the case of the second breach, the Transport Authority shall suspend the permit for such period (not being less than two months) as it deems fit, and in the case of the third breach, the Transport Authority shall cancel the permit.".

5. Insertion of new section 114A.—After section 114 of the principal Act, the following section shall be inserted, namely :—

"114A. Compounding of offences.—(1) Subject to such rules as may be prescribed, any offence punishable under sections 112, 113, 113A or 114 may be compounded by an officer of the Motor Vehicles Department authorised by the State Government in this behalf on payment of such amount as may be determined by such officer.

(2) On the composition of an offence under sub-section (1), the person concerned, if in custody, shall be discharged and he shall not be liable to be prosecuted in a court of law for the same offence or on the same facts for any other offence. The composition of an offence under this section shall have the effect of an acquittal.".

By Order and in the name of the Governor of Karnataka,

M. L. RAMASWAMI,

Draftsman and Ex-officio
Joint Secretary to Government,
Dept. of Law and Parl. Affairs.

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